

**IN THE UNITED STATES BANKRUPTCY COURT FOR THE
WESTERN DISTRICT OF MISSOURI**

In Re:)	
)	
James Dale Webster and)	
Deborah Ann Webster,)	Case No. 10-20244-DRD
)	
Debtor(s).)	Chapter 7
)	
Deborah Ann Webster,)	
)	
Plaintiff,)	Adv. Proc. No. 10-02035-DRD
)	
vs.)	
)	Amended Complaint to Determine
MOHELA,)	Dischargeability of Student Loan
)	
Defendant.)	

AMENDED COMPLAINT TO DETERMINE DISCHARGEABILITY OF STUDENT LOAN

COMES NOW Plaintiff (and Debtor) Deborah Ann Webster, by and through undersigned counsel, and for her Amended Complaint to Determine Dischargeability of Student Loan, states to the Court as follows:

1. The Debtor Deborah Ann Webster filed this case with her husband, Debtor James Dale Webster, under Chapter 7 of the Bankruptcy Code on February 18, 2010. This Court thus has jurisdiction over this action under 28 U.S.C. § 1334. This proceeding is a core proceeding.
2. Five of the unsecured debts, totaling approximately \$18,886.00, owed by Debtor Deborah Ann Webster and listed in Schedule F are student loans owed to Defendant MOHELA.
3. These loans were incurred to pay for Debtor's educational expenses for the

following undergraduate and graduate studies as indicated in the chart below:

Educational Institution	Degree (Major)	Time Period
Drury University (Springfield, MO)	Bachelors (Psychology)	1996 – 2000
Webster University (Rolla, MO)	Masters (Counseling)	2001 – 2003
Southern Christian University (Montgomery, AL)	PhD (Marriage & Family Therapy)	2004 – 2006

4. In 2009, Debtor Deborah Ann Webster was diagnosed with Fibromyalgia, a condition that causes chronic musculoskeletal pain and debilitating fatigue. Her doctor believes that she will not be capable of holding a full-time job as a result of these symptoms.
5. Since that time, the Debtor has been unemployed, and the sole source of income for herself is provided by her unemployed and disabled husband who receives social security benefits in the amount of \$1,749.00 and long-term disability benefits in the amount of \$1,501.00, totaling \$3,250.00.
6. The Debtor has no current or anticipated available income or resources with which to pay the aforementioned loans to Defendant MOHELA and any payments on that loan could be made only at great hardship to the Debtor.

WHEREFORE, the Debtor prays that this Honorable Court make and enter an Order declaring the student loan debt of Debtor Deborah Ann Webster to be discharged in this bankruptcy case, and for such other and further Orders as the Court deems just and proper.

Dated: August 11, 2010

Respectfully submitted,

YOUNG LEGAL SERVICES, LLC

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Attorney(s) for Plaintiff/Debtor

CERTIFICATE OF SERVICE

A copy of the Amended Complaint to Determine Dischargeability of Student Loan was served via the Court's electronic means and/or mailed postage prepaid on or about August 11, 2010, to the Chapter 7 Trustee and the following creditors and/or parties in interest:

Jill D. Olsen, Trustee
The Olsen Law Firm, LLC
1044 Main St., Suite 400
Kansas City, MO 64105

MOHELA
Claims Department
ATTN: Mike Isenberg
633 Spirit Drive
Chesterfield, MO 63005

/s/ Cecilia E. Young